Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1-12. (Canceled)

13. (Currently Amended) An optical element, comprising:

a liquid crystal layer made by forming and curing a film of a liquid crystalline material, the liquid crystal layer including a liquid crystal phase in a solidified state such that a molecular orientation of the liquid crystal phase is maintained even when an electrical force is applied; and

a protective layer formed on the liquid crystal layer, the protective layer having a hardness sufficient to prevent the liquid crystal layer from being deformed by externally exerted forces;

wherein the optical element further comprises a color filter layer of a light absorption type disposed between the liquid crystal layer and the protective layer, and

wherein the liquid crystalline material from which the liquid crystal layer is made has cholesteric regularity.

14. (Previously Presented) The optical element according to claim 13, wherein the protective layer has a modulus of elasticity (= (elastic deformation) / (total deformation)) of 0.6 or more as determined by pushing an indenter into the protective layer with a test force of 2 mN in accordance with the universal hardness test method.

15. (Previously Presented) The optical element according to claim 13, wherein the protective layer is made from a material that comprises a resin and a monomer.

16-17. (Canceled)

18. (Previously Presented) The optical element according to claim 13, further comprising an alignment substrate that supports the liquid crystal layer, the alignment

substrate being disposed on a surface of the liquid crystal layer opposite from the protective layer.

19. (Currently Amended) An optical element, comprising:

a liquid crystal layer made by forming and curing a film of a liquid crystalline material, the liquid crystal layer including a liquid crystal phase in a solidified state such that a molecular orientation of the liquid crystal phase is maintained even when an electrical force is applied; and

a protective layer formed on the liquid crystal layer, the protective layer having a hardness sufficient to prevent the liquid crystal layer from being deformed by externally exerted forces;

wherein the optical element further comprises a color filter layer of a light absorption type disposed on a surface of the protective layer opposite from the liquid crystal layer, and

wherein the liquid crystalline material from which the liquid crystal layer is made has cholesteric regularity.

20. (Previously Presented) The optical element according to claim 19, wherein the protective layer has a modulus of elasticity (= (elastic deformation) / (total deformation)) of 0.6 or more as determined by pushing an indenter into the protective layer with a test force of 2 mN in accordance with the universal hardness test method.

21. (Previously Presented) The optical element according to claim 19, wherein the protective layer is made from a material that comprises a resin and a monomer.

22-23. (Canceled)

24. (Previously Presented) The optical element according to claim 19, further comprising an alignment substrate that supports the liquid crystal layer, the alignment

substrate being disposed on a surface of the liquid crystal layer opposite from the protective layer.

25-30. (Canceled)

31. (New) An optical element, comprising:

a liquid crystal layer made by forming and curing a film of a liquid crystalline material, the liquid crystal layer including a liquid crystal phase in a solidified state such that a molecular orientation of the liquid crystal phase is maintained even when an electrical force is applied; and

a protective layer formed on the liquid crystal layer, the protective layer having a hardness sufficient to prevent the liquid crystal layer from being deformed by externally exerted forces;

wherein the optical element further comprises a color filter layer of a light absorption type disposed between the liquid crystal layer and the protective layer, and

wherein the liquid crystalline material from which the liquid crystal layer is made has nematic regularity.

32. (New) The optical element according to claim 31, wherein the protective layer has a modulus of elasticity (= (elastic deformation) / (total deformation)) of 0.6 or more as determined by pushing an indenter into the protective layer with a test force of 2 mN in accordance with the universal hardness test method.

33. (New) The optical element according to claim 31, wherein the protective layer is made from a material that comprises a resin and a monomer.

34. (New) The optical element according to claim 31, further comprising an alignment substrate that supports the liquid crystal layer, the alignment substrate being disposed on a surface of the liquid crystal layer opposite from the protective layer.

35. (New) An optical element, comprising:

a liquid crystal layer made by forming and curing a film of a liquid crystalline material, the liquid crystal layer including a liquid crystal phase in a solidified state such that a molecular orientation of the liquid crystal phase is maintained even when an electrical force is applied; and

a protective layer formed on the liquid crystal layer, the protective layer having a hardness sufficient to prevent the liquid crystal layer from being deformed by externally exerted forces;

wherein the optical element further comprises a color filter layer of a light absorption type disposed on a surface of the protective layer opposite from the liquid crystal layer, and wherein the liquid crystalline material from which the liquid crystal layer is made has nematic regularity.

36. (New) The optical element according to claim 35, wherein the protective layer has a modulus of elasticity (= (elastic deformation) / (total deformation)) of 0.6 or more as determined by pushing an indenter into the protective layer with a test force of 2 mN in accordance with the universal hardness test method.

37. (New) The optical element according to claim 35, wherein the protective layer is made from a material that comprises a resin and a monomer.

38. (New) The optical element according to claim 35, further comprising an alignment substrate that supports the liquid crystal layer, the alignment substrate being disposed on a surface of the liquid crystal layer opposite from the protective layer.